

SN. 10/669,782

ATTORNEY DOCKET NO. YAMA:057

REMARKS

Claims 1-17 remain pending in this application for which applicants seek reconsideration.

Amendment

The specification has been amended to remove the objection raised by the examiner. Claims 1-14, 16, and 17 have been amended to improve their form and readability, as well as to remove any informalities contained therein, including the format of the preamble. Note that claims 8 and 16 now recite a computer-readable storage medium storing a computer program to comply with U.S. patent practice. Moreover, the claims have been amended to remove all reference to method or method steps. Applicants submit that all the changes to the claims are directed to improving the form and readability of the claims and not for narrowing the scope. No new matter has been introduced.

Specification Objection

The examiner objected to the specification because it contains informalities. Applicants submit that the present amendment to pages 13 and 26-27 overcomes the objections identified in paragraphs 2 and 4 of the Detailed Action. Applicants, however, traverse the objection identified in paragraph 3 of the Detailed Action because a rest note is one type of note. Section (c) of Fig. 3 correctly identifies the rest notes under the type of note category.

Art Rejection

Claims 1-14 were rejected under 35 U.S.C. § 102(b) as anticipated by Yanase (USP 6,235,979), and claims 15-17 were rejected under 35 U.S.C. § 103(a) as unpatentable over Yanase in view of Taki (USP 5,665,927). Applicants traverse these rejections because these references would not have disclosed or taught the features of 1) displaying musical note symbols across different musical stave rows based in the designated attribute information, as set forth in independent claims 1, 4, and 8, and 2) varying the horizontal or vertical position of a musical score symbol on a musical score based on the designated attribute information, as set forth in independent claims 10, 11, 12, 15, and 16.

Independent claims 1, 4, and 8 each call for displaying note or musical score symbols of a same performance part across a plurality of musical stave rows in accordance with designation by the attribute information, such as illustrated in Fig. 5 of the present disclosure. The examiner asserts that Yanase displays musical note symbols across a plurality of staff.

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Applicants disagree because Yanase does not illustrate or disclose anywhere the feature of displaying musical note symbols across multiple musical stave rows. Indeed, Yanase's Figs. 1-3 and 8 are telling. Note that none of the notes are displayed across the illustrated two staves. Accordingly, applicants submit that independent claims 1, 4, and 8 clearly distinguish over Yanase within the meaning of §§ 102, 103.

Independent claims 10, 11, 12, 15, and 16 each call for changing or varying the horizontal or vertical display position or both positions of the note or musical score symbol from the determined display position based on the designated attribute information. In contrast to the examiner's assertion, neither Yanase nor Taki would have disclosed the above feature of varying the horizontal or vertical position, as set forth in these claims.

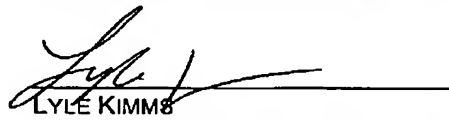
Conclusion

Applicants submit that claims 1-17 patentably distinguish over the applied references and are in condition for allowance. Should the examiner have any issues concerning this reply or any other outstanding issues remaining in this application, applicants urge the examiner to contact the undersigned to expedite prosecution.

Respectfully submitted,

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17 FEBRUARY 2006
DATE



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REG. NO. 34,079 (RULE 34, WHERE APPLICABLE)

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